

REMARKS

The Examiner's action of March 31, 2010 finally rejecting the claims in this case is noted, in which the Examiner says that Claims 4 and 10 are not currently rejected over prior art.

There are numerous objections to the claim language and supposed inability for the drawings to show certain claimed elements. Applicants have amended the claims to alleviate all of the claim drafting issues and further specifically recite that the antenna elements are bent out of the plane of the planar radiators.

Formal Rejections

Taking first the objection to the drawings and especially new Claim 4, it is noted Claim 4 no longer claims an aperture in a ground plane. Note that the ground plane is shown in Figure 8 by reference character 130. Note that the bent radiators are shown in Figure 10 by reference characters 80, 82, 84 and 86.

With respect to claims 5 and 11, these have been canceled without prejudice and with the amendments to Claim 4 and the proper dependency of Claims 6 and 7 on Claim 4, it is respectfully submitted that first and second bowties are shown in Figures 8 and 10 by reference characters 62 and 66 and 64 and 68.

Art Rejections

With respect to the rejection of Claims 6 and 7 under 35 USC 102 as being anticipated by Ippolito et al., it is noted that these claims now depend from an allowable Claim 4 and removal of this ground of rejection is earnestly solicited.

With respect to the rejection of Claim 8 as being unpatentable over Ippolito et al. in view of Jack et al., Claim 8 also depends from an allowable Claim 4.

With respect to the rejection of Claims 9 and 10 as being unpatentable over Andrews et al. over Luen and in further view of Ippolito et al., it is suggested that the bent dipole radiators out of the plane of the radiators is neither shown, taught nor obvious.

Note, in Figure 4c of Ippolito et al., while this figure shows half dipole pairs lying flat prior to each bent dipole being bent up 90° with respect to the back plane, this does not place the fold generated thereby at the distal end of the radiators. Thus the area surrounding hole 82 in no way functions as the distal end of a bent dipole radiator and cannot function in the manner claimed. For this reason alone the Examiner's combination would not be obvious.

As to the rejection of Claims 9 and 10 as being unpatentable over Andrews et al. and in view of Luen, since it is Applicant's contention Claim 1 is free of the prior art, these claims would also be free of the prior art.

As will be appreciated, as noted above, Claims 5, 11, 12 and 14 have been canceled without prejudice and that Claim 13 is allowable for the reasons set forth above, even though Claim 13 was not rejected on art.

Allowance of the claims and issuance of the case is therefore earnestly solicited.

Alternatively, entry of this Amendment for purposes of Appeal is requested.

Respectfully submitted,



Robert K. Tendler
Reg. No.: 24,581
65 Atlantic Avenue
Boston, MA 02110
Tel: (617) 723-7268

Date: July 22, 2010